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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0692 PJH
)	
Plaintiff,)	
)	STIPULATION AND PROPOSED
v.)	ORDER EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
IL UNG KIM, et al.,)	
)	
Defendants.)	

The parties stipulate as follows:

On November 29, 2006, Il Ung Kim and his counsel, Christopher M. Curran, Eric Grannon and Lawrence Callaghan, Gary Swanson and his counsel, John J. Bartko and John F. McLean, and the United States Department of Justice, represented by Niall E. Lynch, appeared before Judge Phyllis J. Hamilton for a trial setting hearing. The defendants, through counsel, and the government agreed to an exclusion of time under the Speedy Trial Act from November 29, 2006, to February 7, 2007, based on effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(8)(A) and (B)(ii) and (B)(iv).

The Court found that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Furthermore, the parties agreed, and the Court found, that the ends of

justice would be served by excluding the proposed time period under the Speedy Trial Act. These ends outweigh the best interest of the public and the defendants in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

For the reasons stated, the parties request that the time period from November 29, 2006, to February 7, 2007 be excluded from the calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A). The parties reserve all of their rights, including their rights to oppose any further exclusion of time.

DATED: December 5, 2006

Respectfully submitted,

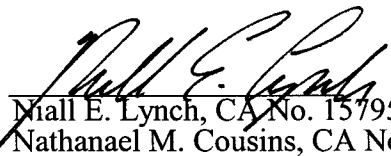
I.U. KIM

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1 justice would be served by excluding the proposed time period under the Speedy Trial Act.

2 These ends outweigh the best interest of the public and the defendants in a speedy trial. *See* 18

3 U.S.C. § 3161(h)(8)(A).

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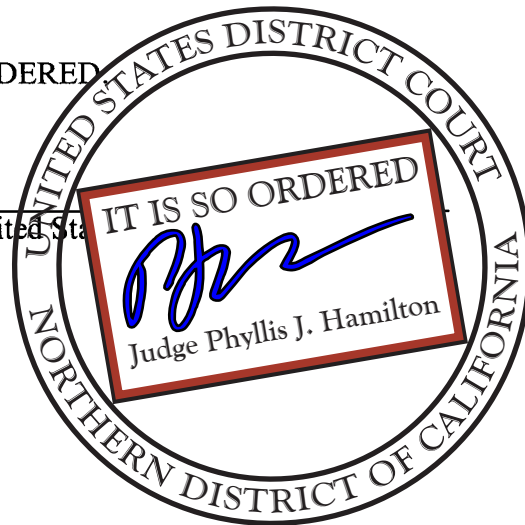
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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 12/6/06

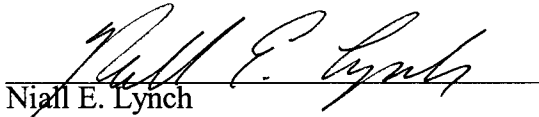
United States



CERTIFICATE OF SERVICE

I certify under penalty of perjury that I filed this document electronically on December 5, 2006, through the Electronic Case Filing portal of the U.S. District Court, Northern District of California. Under N.D. Cal. Local Rule General Order 45, all counsel appearing in this matter will receive an electronic copy of this filing.

Dated: December 5, 2006


Niall E. Lynch